

16 MAR 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

22897
DEMONT & BREYER, LLC
Suite 250
100 Commons Way
Holmdel, NJ 07733

In re Application of :
HOUSTON *et al* :
Application No.: 10/516,875 :
PCT No.: PCT/GB02/05646 :
Int. Filing Date: 13 December 2002 :
Priority Date: 05 June 2002 :
Attorney Docket No.: 9931-006US :
For: A METHOD FOR DETERMINING THE :
HELIX ANGLE OF A HELICAL :
FORMATION FOR A CONDUIT :

DECISION

This decision is in response to applicants' "Request for Correction of Filing Receipt and Notice of Acceptance of Application in Accordance with 37 CFR 1.181" filed on 10 March 2006 which is hereby **GRANTED** as follows:

A review of the subject application shows that the declaration was stamped as received by the USPTO on 09 August 2005. Thus, the Notification of Acceptance of Application Under 35 U.S.C. 371 and 1.495 (Form PCT/DO/EO/903) and filing receipt indicate that the 371 date was 09 August 2005.

In the petition, applicants claim that the declaration was filed on 04 August 2005. A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO. See § 503 MPEP.

Applicants have provided a copy of the date-stamped postcard receipt for documents submitted 04 August 2005. The application number, title and docket number are listed on the postcard receipt. The postcard receipt indicates that among the documents received in the USPTO included an "Executed Declaration and Power of Attorney." The postcard receipt is stamped as received by the USPTO on 04 August 2005.


In addition, the transmittal letter accompanying the declaration is located in the file. The transmittal letter is stamped as received on 04 August 2005. Moreover, the \$65.00 surcharge fee was also charged on 04 August 2005.

Accordingly, applicants have provided *prima facie* evidence that the declaration was received by the USPTO on 04 August 2005, not 09 August 2005.

For the reasons discussed above, the Form PCT/DO/EO/903 mailed 27 October 2005 and Filing Receipt mailed 13 December 2005 are both **VACATED**.

This application is being forwarded to the DO/EO/US to mail a corrected Form PCT/DO/EO/903 indicating a date of receipt of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) and date of receipt of all 35 U.S.C. 371 requirements of **04 August 2005**, then mailing a corrected filing receipt indicating the same.

The application will then be forwarded to Technology Center 3700 for further processing.

A handwritten signature in black ink that reads "James Thomson". The signature is written in a cursive style with a large, stylized "J" and "T".

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302